



Vinston H. Hickox
Agency Secretary

Air Resources Board

Alan C. Lloyd, Ph.D.
Chairman

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Gray Davis
Governor

Reference No. C-2000-351

May 17, 2000

Mr. John McKnight
Director of Environmental and Safety Compliance
National Marine Manufacturers Association
1819 L Street, Suite 700
Washington, D.C. 20036

Dear Mr. McKnight:

This is in response to your March 2, 2000, letter regarding placement of environmental labels on spark-ignition **outboard** marine engines. Environmental labels indicate the relative cleanliness (e.g., "one-star", two-star" or "three-star") of marine engines to both engine owners and waterway personnel. In your letter, the National Marine Manufacturers Association (NMMA) is requesting latitude in selecting the location for affixing the environmental label.

Pursuant to Title 13, California Code of Regulations, Section 2443.2(c)(2), outboard engines must have a single environmental label (as applicable) affixed to the back of the engine cover or cowl, and the label must be visible from one hundred feet. Due to existing styling graphics, NMMA member manufacturers have found difficulties in implementing this requirement consistently, especially on the upper cover. As a result, the NMMA wishes to be able to place the label on either the upper or lower cover of an outboard in any area that is within the back two-thirds of the cover. NMMA believes that this allowance will preserve a manufacturer's styling while still maintains the visibility requirements needed by waterway enforcement personnel.

In regards to the upper or lower cover of an outboard engine for placement of the label, the Air Resources Board (ARB) finds NMMA's proposal to be acceptable and hereby approves it, provided that the label is clearly visible above the waterline when the boat on which the engine is mounted is at its maximum allowable loaded weight and is either at rest or in motion. Furthermore, the label must not be affixed on an irregular surface (e.g., steeply sloped or sharply-angled planes) that would hinder visibility.

In regards to the back two-thirds of the cover as the allowable area for placement of a single environmental label, the ARB finds NMMA's proposal to be unacceptable and hereby disapproves it. The "back two-thirds" cover almost the entire port and starboard sides of a cover. A single label on only one side of the outboard engine reduces by half the visibility and effectiveness of the label to waterway personnel. Alternately, the ARB

will approve placement of the label on the side of the outboard engine only if both the port and starboard sides will each have one label.

If you have further questions on this matter, please contact Mr. Dean Hermano, Staff Engineer, Certification Section, at (626) 450-6103, or by e-mail at dhermano@arb.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "R. B. Summerfield", followed by the word "for" in a cursive script.

R. B. Summerfield, Chief
Mobile Source Operations Division